

# Rules and Regulations

Federal Register

Vol. 63, No. 50

Monday, March 16, 1998

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Part 301

[Docket No. 97-113-2]

#### Mexican Fruit Fly Regulations; Addition of Regulated Area

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Affirmation of interim rule as final rule.

**SUMMARY:** We are adopting as a final rule, without change, an interim rule that amended the Mexican fruit fly regulations by adding California to the list of quarantined States and by designating a portion of Los Angeles County, CA, as a regulated area. The interim rule was necessary on an emergency basis to prevent the spread of the Mexican fruit fly to noninfested areas of the United States. The interim rule also restricted the interstate movement of regulated articles from the regulated area in California.

**EFFECTIVE DATE:** The interim rule was effective on November 10, 1997.

**FOR FURTHER INFORMATION CONTACT:** Mr. Michael B. Stefan, Operations Officer, Domestic and Emergency Operations, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, MD 20737-1236, (301) 734-8247; or e-mail: mstefan@aphis.usda.gov.

#### SUPPLEMENTARY INFORMATION:

##### Background

In an interim rule effective November 10, 1997, and published in the **Federal Register** on November 17, 1997 (62 FR 61213-61215, Docket No. 97-113-1), we amended the Mexican fruit fly regulations (contained in 7 CFR 301.64 through 301.64-10) by adding California to the list of quarantined States in § 301.64(a) and by designating a portion

of Los Angeles County, CA, as a regulated area in § 301.64-3(c). The interim rule was necessary on an emergency basis to prevent the spread of the Mexican fruit fly to noninfested areas of the United States. The interim rule also restricted the interstate movement of regulated articles from the regulated area in California.

Comments on the interim rule were required to be received on or before January 16, 1998. We did not receive any comments. The facts presented in the interim rule still provide a basis for the rule.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived the review process required by Executive Order 12866.

#### List of Subjects in 7 CFR Part 301

Agricultural commodities, Incorporation by reference, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

#### PART 301—DOMESTIC QUARANTINE NOTICES

Accordingly, we are adopting as a final rule, without change, the interim rule that amended 7 CFR 301 and that was published at 62 FR 61213-61215 on November 17, 1997.

**Authority:** 7 U.S.C. 147a, 150bb, 150dd, 150ee, 150ff, 161, 162, and 164-167; 7 CFR 2.22, 2.80, and 371.2(c).

Done in Washington, DC, this 9th day of March 1998.

**Charles P. Schwalbe,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 98-6589 Filed 3-13-98; 8:45 am]

BILLING CODE 3410-34-P

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 9 CFR Part 94

[Docket No. 97-084-2]

#### Change in Disease Status of the Dominican Republic Because of Hog Cholera

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Affirmation of interim rule as final rule.

**SUMMARY:** We are adopting as a final rule, without change, an interim rule that amended the regulations governing the importation of swine, pork, and pork products by removing the Dominican Republic from the list of regions in which hog cholera is not known to exist. We took this action based on reports we received from the Dominican Republic's Ministry of Agriculture that an outbreak of hog cholera had occurred in the Dominican Republic. As a result of this action, there are additional restrictions on the importation of pork and pork products into the United States from the Dominican Republic, and the importation of swine from the Dominican Republic is prohibited.

**EFFECTIVE DATE:** The interim rule was effective on August 4, 1997.

**FOR FURTHER INFORMATION CONTACT:** Dr. John Cougill, Senior Staff Veterinarian, Products Program, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 40, Riverdale, MD 20737-1231, (301) 734-3399.

#### SUPPLEMENTARY INFORMATION:

##### Background

In an interim rule effective August 4, 1997, and published in the **Federal Register** on August 18, 1997 (62 FR 43924-43925, Docket No. 97-084-1), we amended the regulations governing the importation into the United States of pork, pork products, and swine by removing the Dominican Republic from the lists in §§ 94.9(a) and 94.10(a) of regions in which hog cholera is not known to exist.

Comments on the interim rule were required to be received on or before October 17, 1997. We received one comment by that date. The comment was from a meat processing facility